IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.50877 of 2007
MISTER MIAN
Versus
STATE OF BIHAR
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03. 02.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offence punishable under section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and the allegation is that one unknown person ordered the informant to stop whereas the another unknown person fired at him and they took away polythene bag carrying Rs. 14,500/- from the informant and fled away. Learned counsel for the petitioner further submits that the petitioner and the informant live in the same Mohalla and know each other very well but in spite of that his name was not mentioned in the F.I.R, which shows that the petitioner has not committed any offence rather he has been falsely implicated. Learned counsel for the petitioner also avers that the petitioner is in custody since 10.07.2007.

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In the facts and circumstances, this petition is allowed. Let petitioner, namely, Mister Mian be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan(T) P.S. Case No. 61 of 2007.

harish **(S.N. Hussain, J.)**